

SN. 09/648,101

ATTORNEY DOCKET NO. CANO:012

REMARKS

Claims 1-6, 8-15, 17-24, and 26-28 remain pending in this application for which applicant seeks reconsideration.

Amendment

Independent claims 1, 10, 19, and 28 have been amended to clarify that the joint portion of the synthesized image is displayed. No new matter has been introduced.

Art Rejection

Claims 1-6, 8, 10-15, 17, 19-24, 26, and 28 were rejected under 35 U.S.C. § 102(b) as anticipated by Urushiya (JP 05-342344), and claims 9, 18, and 27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Urushiya in view of Kumashiro (USP 5,721,624). Applicant traverses these rejections because Urushiya would not have disclosed or taught controlling and displaying at least one joint portion of the already synthesized image, and designating the one joint portion thereof as set forth in independent claims 1, 10, 19, and 28.

Independent claims 1 and 28 each call for a display control means for displaying at least one joint portion of an image synthesized from a plurality of joined images. Claim 1 further specifies that the control is automatic. Since these features are set forth as a means-plus-function limitation, they cover the corresponding structures or acts described in the specification, and equivalents thereof. In this respect, the present specification discloses, referring to Fig. 2, an application software 201 that includes an image synthesizing system 215 with an image processing means 216 and an image display means 217. The corresponding structure or acts and equivalents thereof thus would encompass an image processing software that provides the functions set forth in the claims, namely displaying the joint portion of the synthesized image, and a hardware that provides the same functions.

Urushiya discloses eliminating incongruity between two joined images. In Urushiya, the operator manually designates and displays the joint portions having the common area of the images to be stitched together with an input device 7. As Urushiya manually designates and

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displays the joint portion, as opposed to using a software/hardware to do the same, Urushiya lacks at least the claimed display control means for controlling the display means to display at least one joint portion of the synthesized image.

Further, claims 1 and 28 each call for a designation means for designating the joint portion. In contrast, Urushiya teaches manually predesignating the points on the images to be stitched. That is, Urushiya predesignates on the images to be joined before they are synthesized, whereas the claims call for designating at least one joint portion of the already synthesized image. Accordingly, Urushiya also would not have taught the claimed designation means set forth in claims 1 and 28.

Claim 10 is a method counterpart of claim 1, with a method step of controlling automatically the display means to display the joint portion of the synthesized image and designating the joint portion of the displayed synthesized image. For the same reasons set forth above, applicant submits that claim 10 defines over Urushiya.

Claim 19 calls for a storage medium with a computer program having an image control module for displaying a synthesized image and for controlling the display to display the joint portion of the synthesized image and a module for designating the joint portion of the displayed synthesized image. Urushiya simply does not include a program for displaying and designating the joint portion as set forth in claim 19.

Kumashiro would not have alleviated Urushiya's shortcomings identified above, even if the combination were deemed proper for argument's sake.

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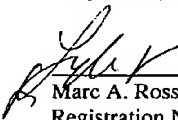
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Conclusion

Applicant submits that claims 1-6, 8-15, 17-24, and 26-28 patentably distinguish over the applied references, and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

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Respectfully submitted,

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